

5HSM-TUB7

JAN 26 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Richard W. Fields
Arnold & Porter
1200 New Hampshire Avenue, N.W.
Washington D.C. 20036

Re: Main Street Well Field Site
Elkhart, Indiana

Dear Mr. Fields:

On September 23, 1988, the United States Environmental Protection Agency (U.S. EPA) issued an information request to the Selmer Company pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (CERCLA), 42 U.S.C. Section 9604(e). This information request required you to provide certain documents and information within 30 days of receipt of the letter. An extension was granted to you to file a response no later than December 5, 1988. The U.S. EPA has received this response and finds that further information is needed from the Selmer Company to complete its response to the Information Request.

U.S. EPA therefore, requests that you respond immediately with information to the enclosed requests. You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures, provided in 40 CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to you.

Continued failure to comply with U.S. EPA's information request by fully, truthfully and timely responding to all items requested may subject you to an enforcement action seeking to compel compliance and collect penalties of up to \$25,000 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. Section 9604(e)(5). U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

-2-

If you have any questions regarding these requests, please contact Susan Swales at (312) 886-7336. If you have any legal questions, please direct such questions to Elizabeth Murphy of the Office of Regional Counsel at (312) 886-0748.

Due to the seriousness of the problem at the Site, the legal ramifications of your failure to respond promptly and properly, U.S. EPA strongly encourages you to give this matter your immediate attention and to respond to this information request within the specified time.

Sincerely yours,

Thomas F. Geishecker, Chief
Technical Support Section

bcc: Cindy Nolan, RERB
Elizabeth Murphy, ORC

c:main.fu:1/17/90:sswales

INFORMATION REQUESTS

1. Provide the names of all employees of the Selmer Company who were responsible for the disposal of waste at it's facility located in Elkhart, Indiana from the time period of 1950 to the present. In addition provide their current addresses and telephone numbers.
2. Provide all information regarding the disposal of solvents from the facility, including any spills or leaks from the facility.
3. Provide all information regarding any dumping which may have occurred on or behind the railroad tracks at the facility. Include the following information:
 - a. The names and addresses of all employees or former employees with information regarding this dumping.
 - b. The frequency of this dumping.
 - c. The type and quantity of waste disposed of at the rail road tracks.
 - d. The company policy, formal or informal, regarding the dumping or disposal of wastes at the rail road tracks.
4. Provide the names and addresses of all persons contacted to provide the information contained in your response to this Information request.